

Appl. No. 10/092,377
Amdt. Dated December 17, 2004
Reply to Office Action of September 20, 2004

Attorney Docket No. 81751.0030
Customer No.: 26021

REMARKS

This application has been carefully reviewed in light of the Office Action dated September 20, 2004. Claims 1-20 remain in this application. Claims 1, 10, 13, 15, and 17-18, are the independent Claims. Reconsideration and entrance of the amendment in the application are respectfully requested.

Specification Objection

The abstract of the disclosure was objected to for exceeding 150 words in length. Applicant has amended the abstract of the disclosure to have less than 150 words in length so as to comply with MPEP §608.01(b). Reconsideration and withdrawal of the above objection are respectfully requested.

Double Patenting Rejection

Claims 1-20 were rejected under the judicially created doctrine of obviousness-type double patenting over USPN 6,366,065 B1 (Morita) in view of USPN 6,160,533 (Tamai). The analysis employed by the Examiner in an obvious-type double patenting determination parallels the guidelines for a rejection under 35 USC §103(a). However, the Office Action states that a timely filed terminal disclaimer in compliance with 37 CFR §1.321(c) may be used to overcome a rejection based on non-statutory type double-patenting provided that the conflicting application is shown to be commonly owned with this application.

Applicant includes herewith a terminal disclaimer in compliance with 37 CFR §1.321(c). Reconsideration and withdrawal of the above rejection are respectfully requested.

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Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application are thus requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6809 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
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Date: December 17, 2004

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